

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHINA ENERGY CORPORATION, a )  
Nevada Corporation, )  
Plaintiff(s), )  
vs. )  
ALAN T. HILL, ET ALs )  
Defendant(s). )  
Case # 3-15-cv-00502-MMD-VPC  
**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**  
**FILING FEE IS \$200.00**

16 Lawrence S. Elbaum, Petitioner, respectfully represents to the Court:  
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of

Proskauer Rose, LLP

(firm name)

20 with offices at Eleven Times Square  
(street address)

23 (212) 969-3161, leibaum@proskauer.com  
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by

25 The Depository Trust Company and Cede & Co. to provide legal representation in connection with  
26 [client(s)]

27 the above-entitled case now pending before this Court.

1       3. That since January 10, 2007 (date), Petitioner has been and presently is a  
2 member in good standing of the bar of the highest Court of the State of New York  
3 (state) where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
5 possession of the United States in which the applicant has been admitted to practice law certifying  
6 the applicant's membership therein is in good standing.

7       4. That Petitioner was admitted to practice before the following United States District  
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
9 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
US Court of Appeals, 5th Circuit	12/01/2009	4437836
US District Court, E.D.N.Y.	8/21/2007	4437836
US District Court, S.D.N.Y.	8/21/2007	4437836

19       5. That there are or have been no disciplinary proceedings instituted against petitioner,  
20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
21 or administrative body, or any resignation or termination in order to avoid disciplinary or  
22 disbarment proceedings, except as described in detail below:

23       N/A  
24  
25  
26  
27

1       6.    That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2    particulars if ever denied admission):

3    No

6       7.    That Petitioner is a member of good standing in the following Bar Associations.

7    (State "none" if Petitioner is not a member of other Bar Associations.)

8    N/A

10      8.    Petitioner has filed application(s) to appear as counsel under Local Rule IA 10-2  
11    during the past three (3) years in the following matters:

12   Date of Application	13   Cause	14   Title of Court 15    Administrative Body 16    or Arbitrator	17   Was Application 18    Granted or 19    Denied
10/17/2013	3:13-cv-00170-RCJ	District of Nevada/J.Jones	Granted

19                   (If necessary, please attach a statement of additional applications)

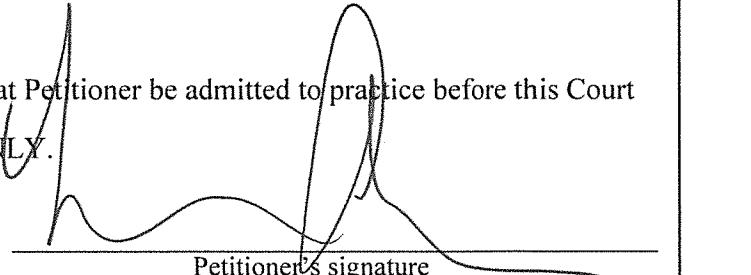
20      9.    Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21    State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22    extent as a member of the State Bar of Nevada.

23      10.   Petitioner agrees to comply with the standards of professional conduct required of  
24    the members of the bar of this court.

25      11.   Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26    practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

3 STATE OF New York }  
4 COUNTY OF New York }



Petitioner's signature

5  
6  
7 Lawrence S. Elbaum, Petitioner, being first duly sworn, deposes and says:

8 That the foregoing statements are true.

9  
10 Subscribed and sworn to before me this

11 19<sup>th</sup> day of March, 2014.

12  
13 Mary Jane McAleavy  
14 Notary Public or Clerk of Court

MARY JANE McALEAVY  
Notary Public, State of New York  
No. 31-4987312  
Qualified in New York County  
Commission Expires October 7, 2017

16  
17 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
19 believes it to be in the best interests of the client(s) to designate Daniel T. Hayward,  
20 (name of local counsel)  
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
22 above-entitled Court as associate resident counsel in this action. The address and email address of  
23 said designated Nevada counsel is:

24  
25 9600 Gateway Drive,  
(street address)

26  
27 Reno, Nevada, 89521,  
(city) (state) (zip code)

28 775-322-1170, dhayward@laxalt-nomura.com.  
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6

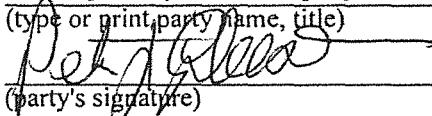
7 The undersigned party(ies) appoint(s) Daniel T. Hayward as  
8 (name of local counsel)  
his/her/their Designated Resident Nevada Counsel in this case.

9

10 (party's signature)

11 The Depository Trust Company and Cede & Co.

12 (type or print party name, title)

13 

14 (party's signature)

15 PETER J. GLEESON, Managing Director for  
16 (type or print party name, title) the Depository Trust Co.  
17 and Partner for Cede & Co.

18 **CONSENT OF DESIGNEE**

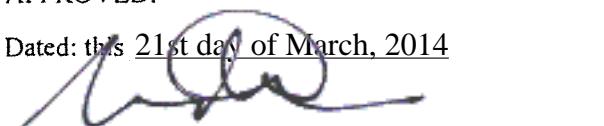
19 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

20   
Designated Resident Nevada Counsel's signature

21 5986 dhayward@taxalt-nomura.com  
22 Bar number Email address

23 APPROVED:

24 Dated: this 21st day of March, 2014

25   
UNITED STATES DISTRICT JUDGE

## CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this 20<sup>TH</sup> day of March, 2014, I caused to be served a true and correct copy of the foregoing ***VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL*** by method indicated

by method indicated

XX by Court's CM/ECF Program

And addressed to the following:

Anjali D. Webster, Esq.

Justin J. Bustos, Esq.

Gordon Silver

100 W. Liberty Street

Reno, 89501

Michael N. Feder, Esq.

Gordon Silver

3960 Howard Hughes Parkway, 9<sup>th</sup> Floor

Las Vegas, NV 89169

Frances Floriano Goins, Esq.

Ulmer & Berne LLP

1660 West 2<sup>nd</sup> Street, Ste 1100

Cleveland, OH 44113

Attorneys for Plaintiff China Energy Corporation

Michael Sammons

15706 Seekers Street

San Anotnio, TX 78255

*Defendant/Third Party Plaintiff*

Richard L. Elmore, Esq.

Holland & Hart LLP

Holland & Hart LLP  
5441 Kietzke Lane, 2<sup>nd</sup> Floor

Reno NV 89511

Attnorneys for Defendant Thomas S. Vredevoogd

1 Edmund J. Gorman, Jr., Esq.  
2 Attorney at Law, Ltd.  
3 335 W. First Street  
4 Reno, NV 89503  
5 *Attorney for Defendant Alan T. Hill*

4 LOUIS M. BUBALA III  
5 State Bar No. 8974  
(lbubala@armstrongteasdale.com)  
6 BRET F. MEICH  
7 State Bar No. 11208  
(bmeich@armstrongteasdale.com)  
8 ARMSTRONG TEASDALE LLP  
9 50 West Liberty, Suite 950  
Reno, NV 89501  
10 Telephone: (775) 322-7400  
Facsimile: (775) 322-9049  
Counsel for Third Party Defendant COR Clearing

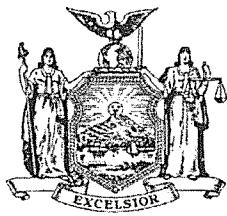
And by U.S. Mail to Pro Se Parties addressed as follows:

13      Elena Sammons  
15706 Seekers St  
14      San Antonio, TX 78255  
*Defendants / Third-Party Plaintiffs (Pro Se)*

16 Randy Dock Floyd  
4000 Goff Road  
17 Aynor, SC 29511  
*Defendant (Pro Se)*

19 Jun He  
231 Split Road Rd  
The Woodlands, TX 77381  
20 *Defendant (Pro Se)*

An employee of Laxalt & Nomura, Ltd.



Appellate Division of the Supreme Court  
of the State of New York  
Second Judicial Department

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I, Aprilanne Agostino, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that Lawrence S. Elbaum was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the 10<sup>th</sup> day of January 2007, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on March 18, 2014.

Clerk of the Court

